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DATE: June 20, 2005

TO: All Interested Parties

A handwritten signature in black ink that reads 'Charlene Zettel'.

FROM: CHARLENE ZETTEL  
Director, Department of Consumer Affairs

SUBJECT: Clarification on the Recommendations of the Department of Consumer Affairs  
and Joint Committee on Boards Commissions and Consumer Protection to  
Transition the Board of Acupuncture to a Bureau

The Department of Consumer Affairs (Department) is committed to supporting the profession of acupuncture. The ancient art of acupuncture has earned respect as a legitimate form of treatment. The Department continues to support the education, licensure and regulation of Acupuncturists and the profession. However, after careful consideration, the Department has recommended to the Joint Committee that the Acupuncture Board (Board) be abolished and its functions transferred to a new Bureau.

The Acupuncture Board is currently scheduled to "sunset" on January 1, 2007. That means the Board would cease to exist and that its licensing and other regulatory functions would be transferred to a new Bureau within the Department.

The Department has decided to support sunsetting the Board. The decision to support sunsetting came only after thoroughly reviewing facts presented at the Joint Committee hearings, reports previously submitted by the Board, findings provided by the Little Hoover Commission, and actions of the board during the past several years.

Unfortunately, there has been some misrepresentation of the facts, and miscommunication to licensees, students and members of the public regarding the Department's recommendation and the proposed conversion of the Board into a new Bureau.

***It is important for all parties to understand that whether the Board remains in place or becomes a Bureau, the laws and regulations as defined in the Acupuncture Licensure Act will not go away and will remain in effect. It is also important to note that for students, the educational requirements and licensing examination will remain unchanged, and for licensees the Practice Act will not change. The current staff will remain intact, regardless of the outcome of SB 233.***

The decision to support sunsetting the Board reflects our commitment to put Californians first by allowing the Department to make consumer protection the ultimate goal of the licensing and regulation of the acupuncture profession. It will allow the Department to fully evaluate the issues and to make the health and safety of patients the top priority. We look forward to working with all of you to keeping the practice of acupuncture safe, and making the governance of the profession free of inconsistency, misrepresentation and self-promotion.

Thank you for your support and for your continued commitment to your profession.